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8 United States District Court
9 Central District of California
10 Western Division
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12 WINSTON MAURICE BROWN,

13 Plaintiff,

14 v.

15 LAFAYETTE FEDERAL CREDIT
16 UNION, *et al.*

17 Defendants.
18

ED CV 23-01869 TJH

Order

JS-6

19 On September 13, 2023, Plaintiff Winston Maurice Brown filed a Request to
20 Proceed *In Forma Pauperis*. In that request, Plaintiff declared that he was
21 unemployed, had been unemployed since “approximately 2015,” and that he last filed
22 an income tax return in “approximately 2016”. Plaintiff acknowledged that his
23 declaration was made *under penalty of perjury* with an understanding that any false
24 statements or answers would subject him to penalties for perjury, and “that perjury is
25 punishable by a term of imprisonment up to five (5) years and/or a fine of \$250,000.00
26 (18 U.S.C. §§ 1621, 3571).”

27 On November 1, 2023, based on Plaintiff’s declaration, the Court granted his
28 Request to Proceed *In Forma Pauperis* and permitted this case to proceed without

1 Plaintiff paying a filing fee or other costs.


2 On January 12, 2024, Plaintiff filed an affidavit in support of his motion for
3 default judgment against Defendant Lafayette Federal Credit Union ["Lafayette FCU"].
4 Attached to his affidavit was a loan application, dated May 24, 2022, that Plaintiff
5 submitted to Lafayette FCU. In that application, Plaintiff stated that he was employed
6 by Pantera Logistics LLC, that he had been employed by Pantera Logistics LLC since
7 June, 2019, and that his gross monthly income at that time from that employment was
8 \$7,322.

9 The information in Plaintiff's loan application clearly contradict's his declaration
10 in support of his Request to Proceed *In Forma Pauperis*. See *Mathis v. New York Life*
11 *Ins.*, 133 F.3d 546, 547-48 (7th Cir. 1998).

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13 Accordingly,

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15 **It is Ordered**, *sua sponte*, that this case be, and hereby is, **Dismissed**
16 without prejudice.

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18 Date: March 1, 2024

19 
20 **Terry J. Hatter, Jr.**
21 **Senior United States District Judge**
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